

REMARKS/ARGUMENTS

The foregoing amendment and the following arguments are provided to impart precision to the claims, by more particularly pointing out the invention, rather than to avoid prior art.

Summary of the Office Action

Examiner rejected claims 1-3, 5, 12, 14, 18, and 20 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 6,446,214 (hereinafter "Chrysanthakopoulos").

Examiner rejected claim 4 under 35 U.S.C. § 103(a) as being unpatentable over Chrysanthakopoulos in view of U.S. Patent 5,809,311 (hereinafter "Jones").

Examiner rejected claims 13 and 19 under 35 U.S.C. § 103(a) as being unpatentable over Chrysanthakopoulos in view of U.S. Patent 5,630,144 (hereinafter "Woog").

Examiner rejected claims 15, 17, 21, and 22 under 35 U.S.C. § 103(a) as being unpatentable over Woog in view of Chrysanthakopoulos and further in view of U.S. Patent 5,978,922 (hereinafter "Arai").

Examiner rejected claim 16 under 35 U.S.C. § 103(a) as being unpatentable over Woog in view of Chrysanthakopoulos and further in view Arai as applied to claim 15, and further in view of U.S. Patent 6,105,142 (hereinafter "Goff").

Examiner rejected claim 23 under 35 U.S.C. § 103(a) as being unpatentable over Woog in view of Chrysanthakopoulos and further in view Arai as applied to claim 21, and further in view of Jones.

Response to 35 U.S.C. § 102(b) Rejections

Applicants respectfully traverse rejections under 35 U.S.C. § 102(b) for the reasons set out below, and ask the Examiner for reconsideration.

Claim 1, as amended, recites the following:

A method for controlling a power state of an autonomous subsystem, comprising:
receiving from the subsystem a message; and
setting the power state of the autonomous subsystem based on the message, **the setting of the power state exclusive of a main operating system.**

Chrysanthacopolous, on the other hand, discloses an *operating system based* method for managing power state transitions of intelligent peripheral devices. (Chrysanthacopolous, 2: 3-5.) This is distinct from and in contrast to the method of claim 1, including “setting the power state of the autonomous subsystem based on the message, **the setting of the power state exclusive of a main operating system.**” Because not every element of claim 1 is disclosed in Chrysanthacopolous, claim 1 and its dependent claims are patentable and should be allowed.

Claims 12 and 18, as amended, recite an autonomous system, for which a desired power state can be determined based upon the received input signals and communications with the autonomous subsystem, **exclusive of a main operating system.** Thus, claims 12, 18, and their respective dependent claims are patentable and should be allowed.

Response to 35 U.S.C. § 103(a) Rejections

Applicants respectfully traverse rejections under 35 U.S.C. § 103(a) for the reasons set out below, and ask the Examiner for reconsideration.

Examiner combined Chrysanthacopolous and Jones to reject claim 4. Claim 4 is patentable by virtue of it being dependent on patentable claim 1 as discussed above. Claim 4 is patentable for an additional reason of the combination of Chrysanthacopolous and Jones being improper.

Chrysanthacopolous relates to handling power state change requests by peripheral devices (Chrysanthacopolous, 1: 6-9) and ensuring that the operating system does not thwart the local controller’s efforts to minimize power consumption

(Chrysanthacopoulos, 1: 64 – 2: 5), while Jones is directed at a centralized backup power system (Jones, 3: 24-32). Since each reference discloses solutions to distinct problems, there is no motivation to combine Chrysanthacopoulos and Jones that can be found in the references themselves. Thus, a motivation to combine is found solely in a method of claim 4, and therefore the combination of Chrysanthacopoulos and Jones is improper.

Furthermore, Chrysanthacopoulos teaches away from a technique utilized in Jones to obtain status information of a subsystem. In particular, Jones discloses the management controller *polling* for a digital number representing the status of a subsystem. (Jones, 5: 19-41, especially 5: 38-40.) In contrast, Chrysanthacopoulos teaches that a technique of polling for status may thwart the efforts to minimize power consumption. (Chrysanthacopoulos, 1: 51-66.)

Therefore claim 4 is patentable over the combination of Chrysanthacopoulos and Jones and should be allowed.

Examiner rejected claims 13 and 19 under 35 U.S.C. § 103(a) as being unpatentable over Chrysanthakopoulos in view of U.S. Patent 5,630,144 (hereinafter “Woog”). Chrysanthakopoulos, Woog, or a combination thereof does not disclose or suggest an autonomous system, for which a desired power state can be determined based upon the received input signals and communications with the autonomous subsystem, **exclusive of a main operating system** as required by claims 13 and 19 by virtue of them being dependent on claims 12 and 18 respectively. Thus, claims 13 and 19 are patentable and should be allowed.

Examiner rejected claims 15, 17, 21, and 22 under 35 U.S.C. § 103(a) as being unpatentable over Woog in view of Chrysanthakopoulos and further in view of U.S. Patent 5,978,922 (hereinafter “Arai”). Chrysanthakopoulos, Woog, Arai, or a combination thereof does not disclose or suggest **“the autonomous subsystem to operate exclusive of a main operating system,”** as required by claim 15. Claim 17 requires this feature by virtue of them being dependent on claim 15. Thus, claims 15 and

17 are patentable and should be allowed for at least the reasons articulated with respect to claim 1. Similarly, because claim 21 requires “an autonomous subsystem ... **to operate exclusive of a main operating system,**” claim 21 and its dependent claim 22 are patentable for at least the reasons articulated with respect to claim 1.

Examiner rejected claim 16 under 35 U.S.C. § 103(a) as being unpatentable over Woog in view of Chrysanthakopoulos and further in view Arai as applied to claim 15, and further in view of U.S. Patent 6,105,142 (hereinafter “Goff”). Chrysanthakopoulos, Woog, Arai, Goff, or a combination thereof does not disclose or suggest “**the autonomous subsystem to operate exclusive of a main operating system,**” as required by claim 16 by virtue of it being dependent on claim 15. Thus, claim 16 is patentable and should be allowed for at least the reasons articulated with respect to claim 1.

Examiner rejected claim 23 under 35 U.S.C. § 103(a) as being unpatentable over Woog in view of Chrysanthakopoulos and further in view Arai as applied to claim 21, and further in view of Jones. Claim 23 is patentable for at least the reason of the combination of Chrysanthakopoulos and Jones being improper as discussed with respect to claim 4.

CONCLUSION

Applicants respectfully submit the present application is in condition for allowance. If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call Elena Dreszer at (408) 947-8200, x209.

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

Date: 12-06-04



Elena B. Dreszer
Reg. No. 55,128

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, CA 90025-1026
(408) 947-8300